

Case 1:04-cr-C 32 Document 1 Filed 03/29/2004 Registered 7 312-886-8027

UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

V.

GLENN SPENCER

CRIMINAL COMPLAINT

CASE NUMBER:

04CR0882

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 25, 2004 in Cook County, in the Northern District of Illinois defendant did, MAGISTRATE JUDGE KEYS

travel in interstate commerce for the purpose of engaging in a sexual act with a person under 18 years of age

in violation of Title 18 United States Code, Section 2423(b).

I further state that I am a Special Agent with the Federal Bureau of Investigations and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof: x Yes No

Signature of Complainant

Diane Schlamadinger, Deputy U.S. Marshal

Sworn to before me and subscribed in my presence,

March 26, 2004

Date

Chicago, Illinois

City, State

ARLANDER KEYS, U.S. Magistrate Judge
Name & Title of Judicial Officer

Diane Keys

A TRUE SIGNATURE OF THE JUDICIAL OFFICER	
MICHAEL W. DOBBINS, CLERK	
BY	<i>[Signature]</i>
DEPUTY CLERK	
U.S. DISTRICT COURT, NORTHERN	
DISTRICT OF ILLINOIS	
DATE:	10-24-2008

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

A F F I D A V I T

I, Diane Schlamadinger, being duly sworn, do hereby depose and state:

1. I am a Cook County State's Attorney Investigator and have been so employed since July of 1993. I have been deputized as a Deputy U.S. Marshal in order to assist the United States Postal Inspection Service on the Federal Child Exploitation Strike Force.

2. The information contained within this affidavit is based on my personal observations or training and information related to me by other law enforcement officers. This affidavit does not contain everything I know about this investigation or all information obtained during the course of this investigation.

3. This affidavit is made in support of a complaint charging GLENN SPENCER with violating Title 18, United States Code, Section 2423, which states:

(b) Travel with intent to engage in illicit sexual conduct--A person who travels in interstate commerce ... for the purpose of engaging in any illicit sexual conduct with another person shall be fined under this title or imprisoned not more than 30 years, or both.

.....

(f) Definition--As used in this section, the term "illicit sexual conduct" means...a sexual act (as defined in Section 2246) with a person under 18 years of age that would be in violation of chapter 109A if the sexual act occurred in the special maritime and territorial jurisdiction of the United States.

4. The term "computer" as used herein is defined as set forth in Title 18, United States Code, Section 1030(e)(1).

Background on Computer Use for Contact with Minors

5. Since January of 2003, I have been assigned to the Federal Child Exploitation Strike Force, which is comprised of federal, state, county and local law enforcement officers. The purpose of the Strike Force is to identify persons seeking to sexually exploit or abuse minors. In addition to my experience, I have received training in the investigation of child sexual exploitation and computer-related child sexual exploitation crimes. I have personal knowledge in the operation of a computer. Based on this training and knowledge, I know the following:

- a) The Internet is a worldwide computer network that connects computers and allows communications and the transfer of data and information across state and national boundaries.
- b) Individuals who use the Internet can communicate with each other by using electronic mail, also known and referred to herein as "email," or by using instantaneous private messaging communications. Email is an electronic form of communication that can contain letter-type correspondence and graphic images. Email is similar to conventional paper-type mail in that it is addressed from one individual to another. Instantaneous communications over the Internet (called "Instant Messages") allow two persons to communicate with each other privately and immediately where email presents a delay in communication.
- c) An email message usually contains a header that gives the screen name, the identity of the Internet access provider, and the return address on the Internet of the individual who originated the message or graphic.
- d) Yahoo! Messenger is a product of Yahoo!, which is based in Santa Clara, California. Yahoo! Messenger allows users to communicate and transfer files. Communications can occur privately between two users or among a group. Communications that occur privately and in real-time between two users are called Instant Messages.
- e) Yahoo! Messenger serves customers located throughout the world. A Yahoo! Messenger user is specifically identified

by the screen name that he or she entered in connecting to Yahoo! Messenger. A user has one master screen name for the account and can have more than one screen name that can be used by the owner of the account. Yahoo! Messenger does not permit duplication of screen names; if a screen name is in use by one subscriber, it cannot be used by another subscriber.

The Investigation

6. As part of our duties, investigators from the Strike Force often enter chat rooms on the Internet while posing as minors. Chat rooms are areas of the Internet that allow users to enter and discuss topics of mutual interest.

7. I posed in chat rooms as a 14-year-old girl using a particular screen name. My screen name is being used in other investigations. Communications with GLENN SPENCER are described below. I refer to myself as "Individual A" in these descriptions.

8. On or about December 4, 2003, Individual A was online utilizing Yahoo! Messenger Chat rooms. Individual A received an unsolicited Instant Message (IM) from a person using the screen name "nyceexecforfem". That person, now known to be GLENN SPENCER, asked Individual A if she would like to chat with a mature, very generous and classy guy who would love to spoil her and make her happy. SPENCER stated, "I travel all the time and love younger women." Individual A informed SPENCER that she was 14 years of age and wasn't sexually experienced. SPENCER said he would love to teach her and would fly to Illinois and meet her. SPENCER added that he was 48 years old and was from New York City. SPENCER further added that he was a Divisional President for a shoe company, (the company is now known to be STEVE MADDEN, and the division is STEVIE'S, INC.) and could afford to spoil her.

SPENCER said, "then I will work my tongue down your belly to your clit I will suck your clit and ick (sic) it then after I suck your clit, I will move my tongue to your vagina suck it dry, lick it then move my tongue to your ass". He also told Individual A that he would cum in her mouth if she wanted him to. SPENCER asked Individual A if she ever drank booze and stated that that will help her relax.

SPENCER asked Individual A for a picture of herself and she agreed to send her picture to him. Individual A sent SPENCER one image via United States Mail. It depicted an individual when she was 14 years of age. SPENCER said he would mail her a picture of himself, as well as a pair of pink Bumbles (gym shoes).

9. Since the first computer chat, Individual A has had several other real-time chats with SPENCER. In these chats, SPENCER expressed his desire to travel to Chicago, Illinois to have sex with Individual A. SPENCER also spoke with a law enforcement officer (not myself) posing as Individual A by telephone and sent Individual A gifts. The substance of some of these communications and the gifts sent by SPENCER are described below.

Computer Chat - February 18, 2004

SPENCER spoke to Individual A about meeting in person. He asked her whether, if he bought her lingerie, she would model it for him. SPENCER stated he would then give her a massage. SPENCER stated that he wanted to perform a lot of oral sex on her and asked if she wanted to fuck. SPENCER asked if she has a motel near her and added that he has had a vasectomy.

Telephone Call - February 24, 2004

At approximately 4:00 p.m., on February 24, 2004 Postal Inspector Jennifer Blink, while posing as Individual A, made a telephone call to SPENCER. SPENCER asked the person whom he believed to be Individual A what year she was in school. "Individual A" told him she was a freshman. SPENCER told her that he was going to take his tongue and lick and suck her clitoris. He also said he was going to lick and stick his tongue in her pussy.

Email Sent by SPENCER - March 9, 2004

On March 9, 2004, SPENCER sent Individual A an email informing her that he would be in Chicago on March 10, 2004, staying at the Marriott Hotel, 540 N. Michigan Avenue, Chicago, Illinois. SPENCER stated that he would love to meet with her and asked her to call him at the hotel. Individual A did not respond to this specific invitation to meet SPENCER.

Gifts Sent By SPENCER - Received March 11, 2004

On or about March 11, 2004, I received two parcels addressed to the address previously given to SPENCER as belonging to Individual A. The parcels were shipped from Madden Direct, Inc. Each parcel contained one pair of Bumble Fuchsia Gym Shoes. SPENCER had ordered them while chatting online with Individual A.

Computer Chat - March 15, 2004

On March 15, 2004, while online, SPENCER confirmed that he had been in Chicago on March 10, 2004. He stated that he and Individual A should be lovers. SPENCER said that Individual A could sit on his mouth, fuck his mouth with her clitoris. He added that sometime they would try anal sex. Spencer said if he and Individual A had met on March 10, 2004 they would have gone straight to the hotel room. Spencer said he would be the first man inside Individual A's body.

Computer Chat - March 23, 2004

On March 23, 2004, while online, SPENCER made arrangements with Individual A to meet her at the Marriott Hotel, 540 N. Michigan Avenue, Chicago, IL, at approximately 6:00 p.m. SPENCER arranged with Individual A for her to arrive in a taxi cab and SPENCER told Individual A that he could greet her there.

Telephone Call - March 25, 2004

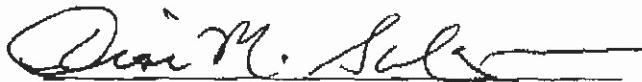
SPENCER called Individual A at the provided undercover telephone number and stated that he was running late and asked her if he could pick her up at her house. SPENCER then made arrangements to meet with Individual A at approximately 7:30 p.m. at Dominick's Finer Foods, 1340 S. Canal Street, Chicago, IL.

10. On or about March 25, 2004, at approximately 7:30 p.m., Chicago, IL, Cook County Sheriff Police Officer Mary Perovich, posing as Individual A, was seated in the food court at the Dominick's Finer Foods. Shortly thereafter, a white male wearing a dark suit jacket and pants entered the Dominick's. Agents had previously obtained a copy of SPENCER's Connecticut Driver's License photograph and

identified him from that photograph. SPENCER looked around the food court area and then spent approximately ten minutes looking around the store. He bought one items, a package of double-sided tape. He did not carry a shopping basket or push a shopping cart. SPENCER then exited the store. Upon agents greeting SPENCER, he stated that he was not GLENN SPENCER and stated that his name was ROBERT. He was then taken into custody.

11. SPENCER was advised of his Miranda rights and waived them in writing. He admitted, among other things, to having engaged in internet communications, e-mail communications and telephone communications with Individual A. He further admitted that he believed Individual A to be 14 years old. He further admitted that he made plans to meet Individual A on March 25, 2004. Upon meeting her SPENCER said he was going to take her to dinner, shopping, and a manicure, then take her to his hotel to hug and kiss her. SPENCER stated that he sent Individual A an email message on March 24, 2004, in which he stated that he did not wish to engage in sex with her. I did not receive any such message under the screen name for Individual A to which SPENCER had sent his earlier messages. In addition, pursuant to SPENCER'S consent, agents searched his email account. No such message was found in SPENCER'S "sent messages" folder or "drafts" folder. All of his other emails to Individual A were found in the "sent messages" folder.

FURTHER AFFIANT SAYETH NOT.

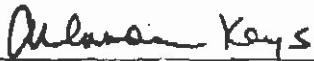


Diane M. Schlamadinger

Cook County State's Attorney's Office

Sworn to and subscribed in my

presence this 26th day of March, 2004



Hon. Arlander Keys

United States Magistrate Judge